

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,
CONSTRUCTION TEAMSTERS HEALTH AND
WELFARE FUND and INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, LOCAL 379,
Plaintiffs

C.A. No. 05-10010 EFH

vs.

HILEE, INC.,

Defendant

and

GIOIOSO BROS., INC. and THE MCCOURT
CONSTRUCTION COMPANY, INC.,
Reach-and-Apply Defendants

and

FLEET BANK,

Trustee

NOTICE OF DISMISSAL

Now come the Plaintiffs, Christopher J. Walsh, as he is Administrator, Construction Teamsters Health and Welfare Fund, et al., pursuant to Rule 41(a)(1), Fed.R.Civ.P., to notify the Court that Plaintiffs' claim against Reach-and-Apply Defendant Gioioso Bros., Inc. is dismissed.

Respectfully submitted,

CHRISTOPHER J. WALSH, as he is
ADMINISTRATOR, of the
CONSTRUCTION TEAMSTERS
HEALTH AND WELFARE FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman
Anne R. Sills, Esquire
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Gregory A. Geiman
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11 Beacon Street
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Boston, MA 02108
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Dated: July 11, 2005

CERTIFICATE OF SERVICE

This is to certify that a copy of the above Notice of Dismissal has been served by first class mail upon Defendant, Hilee, Inc. at 100 Tremont Street, Everett, MA 02149, and upon Reach-and-Apply Defendants, Gioioso Bros., Inc. at 50 Sprague Street, Hyde Park, MA 02136, and The McCourt Construction Company, Inc. at 60 K Street, South Boston, MA 02127 this 11th day of July, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire